

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRAVELL T. RICHARD,

Defendant.

8:10CR10

ORDER

Defendant Travell T. Richard appeared before the court on May 14, 2014 on a Petition for Offender Under Supervision [29] and an Amended Petition for Offender Under Supervision [38]. The defendant was represented by Assistant Federal Public Defender Karen M. Shanahan, and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. The government's motion for detention of Travell T. Richard pursuant to the Bail Reform Act was held in abeyance pending the defendant's coming into federal custody. The parties agreed that the issue of a Preliminary Hearing would be addressed at the Detention Hearing. The Court was later notified that the defendant had come into federal custody, and a Detention Hearing was held on June 6, 2014. Through his counsel, the defendant waived his right to a probable cause hearing on the Petition for Offender Under Supervision [29] and Amended Petition for Offender Under Supervision [38] pursuant to Fed. R. Crim. P. 32.1(a)(1). A detention hearing was held. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Strom in Courtroom No. 5, Third Floor, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on July 17, 2014 at 11:30 a.m. Defendant must be present in person.

2 The defendant, Travell T. Richard, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 6th day of June, 2014.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge